

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
<b>WILLIAM F. CROWELL</b>	)	WT Docket No. 08-20
	)	
Application to Renew License for Amateur	)	FCC File No. 0002928684
Radio Service Station W6WBJ	)	
	)	

To: Marlene H. Dortch, Secretary  
Attn: Chief Administrative Law Judge Richard L. Sippel

**ENFORCEMENT BUREAU'S OPPOSITION TO CROWELL'S PETITION TO  
ATTEND ALL PREHEARING CONFERENCES VIA TELEPHONE**

1. On March 30, 2017, William F. Crowell (Crowell) filed a petition requesting that he be allowed to appear at *all* prehearing conferences, including the prehearing conference scheduled originally for April 6, 2017 (and now rescheduled for April 13, 2017),<sup>1</sup> by telephone/speakerphone, asserting that he does not have the means to travel to Washington, D.C.<sup>2</sup> For the reasons discussed below, the Acting Chief, Enforcement Bureau (Bureau), through his attorneys, respectfully opposes Crowell's Petition.

2. With regard to the prehearing conference originally scheduled for April 6, 2017, the Bureau was inclined to agree to Crowell's request given that it might have been difficult for him to make travel arrangements from California to Washington, D.C. within such a short period of time. However, now that the Presiding Judge has rescheduled the prehearing conference for a

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<sup>1</sup> See Order, FCC 17M-14 (ALJ, rel. Mar. 30, 2017); Order, FCC 17M-16 (ALJ, rel. Mar. 31, 2017).

<sup>2</sup> See Applicant's Petition to Permit Him to Appear at All Pre-Hearing Conferences by Telephone/Speakerphone [47 C.F.R., Part I, Subpart B, § 1.248(f)], filed Mar. 30, 2017 ("Petition").

week later, on April 13, 2017 (and the Bureau has requested that the prehearing conference be rescheduled for the week of April 24, 2017),<sup>3</sup> Crowell has more than sufficient time to make appropriate arrangements to attend the prehearing conference in person. Thus, the Bureau opposes Crowell's request to attend the scheduled prehearing conference via speakerphone.

3. The Bureau also opposes Crowell's request to attend all future prehearing conferences via speakerphone as premature. First, pursuant to the Hearing Designation Order in this case, Crowell has the burden of proceeding with the introduction of evidence and the burden of proof with respect to each of the designated issues.<sup>4</sup> To the extent a substantive issue is raised during a prehearing conference, the Bureau believes it will be more effective for Crowell to address those complex issues in person. Second, the Presiding Judge previously has recognized that where "there is a need for closer case management in order to protect and insure Commission and public interests," in-person attendance at pre-hearing conferences is appropriate.<sup>5</sup> This case meets that model. Throughout this proceeding, Crowell has filed numerous pleadings with unsubstantiated accusations, challenging the character and fitness of possible Commission witnesses, Commission staff, and the Presiding Judge.<sup>6</sup> As a result, it may be necessary for Crowell to address his accusations and explain his conduct during the course of prehearing conferences in this matter. It will be easier for the Presiding Judge to assess Crowell's credibility and candor if he is required to attend such prehearing conferences in person.

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<sup>3</sup> See Enforcement Bureau's Request to Move Prehearing Conference, filed Mar. 31, 2017.

<sup>4</sup> See *In re William F. Crowell*, Hearing Designation Order, WT Docket No. 08-20, DA 08-361, para. 14 (rel. Feb. 12, 2008).

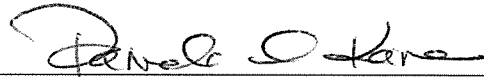
<sup>5</sup> *Order*, 12M-52 (ALJ, rel. Nov. 15, 2012).

<sup>6</sup> See, e.g., *Order*, 17M-13 (ALJ, rel. Mar. 28, 2017). See also Applicant's Motion to Censure, Suspend, or Disbar Attorneys, filed Feb. 3, 2009 (seeking to censure, suspend or disbar the then Chief of the Enforcement Bureau, and the two Bureau counsel then working on this matter).

4. Accordingly, the Bureau respectfully opposes Crowell's Petition to attend all prehearing conferences via speakerphone.

Respectfully submitted,

Michael Carowitz  
Acting Chief, Enforcement Bureau



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April 3, 2017


## CERTIFICATE OF SERVICE

Pamela S. Kane certifies that she has on this 3rd day of April, 2017, sent copies of the foregoing "ENFORCEMENT BUREAU'S OPPOSITION TO CROWELL'S PETITION TO ATTEND ALL PREHEARING CONFERENCES VIA TELEPHONE" via email to:

The Honorable Richard L. Sippel  
Chief Administrative Law Judge  
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Washington, D.C. 20554 (by hand, courtesy copy)

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